REMARKS

Claims 1-33 were pending in this application when the present Office Action was mailed (November 6, 2003). Claims 1 and 30 have been amended, with claim 30 amended only to correct a typographical error and therefore without narrowing the scope of the claim. Claims 34-36 have been added, and claims 12-16 and 20-29 cancelled. Accordingly, claims 1-11, 17-19 and 30-36 are currently pending.

In the present Office Action, claims 1-33 were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 1, 2, 4-6, 10, 11, and 17-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,691,504 to Sands et al. ("Sands");

(B) Claims 12-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,046,912 to Leman ("Leman");

(C) Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sands in view of U.S. Patent No. 4,855,873 to Bhargava et al. ("Bhargava");

(D) Claims 7-9 and 20-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sands in view of Leman and Bhargava.

The undersigned attorney wishes to thank the Examiner for engaging in a telephone interview on February 5, 2004. During the February 5 telephone interview, the Examiner indicated that claim 30 is patentable over the applied references, the Section 102 rejection of claim 17 is not fully substantiated, and a proposed amendment to claim 1, reflected in this paper, would likely overcome the outstanding rejection of this claim. The following remarks further summarize and expand upon the points discussed and agreements reached during the February 5 telephone conference.

A. Response to the Section 102 Rejections on the Basis of Sands

Claim 1 has been amended in a manner indicated by the Examiner during the February 5 telephone conference to patentably distinguish the claim over the applied

reference. In particular, claim 1 has been amended to positively recite the circuit board to which the bracket body is attached (via the at least one circuit board fastener). Accordingly, the Section 102 rejection of claim 1 should be withdrawn.

Claims 2, 4-6, 10 and 11 all depend from claim 1. Accordingly, the Section 102 rejections of these claims should be withdrawn for the reasons discussed above and for the additional features of these dependent claims.

During the February 5 telephone conference, the Examiner indicated that the Section 102 of claim 17 appears not to be substantiated for at least the reason that Sands fails to disclose "an electrically conductive gasket coupled between the connector and the chassis, the gasket providing the sole electrical path between the grounding terminal of the circuit element and the chassis," as recited in claim 17. The Examiner agreed to reconsider the outstanding rejection of claim 17 and withdraw the rejection if, upon reconsideration, Sands is indeed found to be lacking this and/or other elements. Accordingly, applicants respectfully request that the Section 102 of claim 17 be withdrawn.

Claims 18 and 19 depend from claim 17. Accordingly, the Section 102 rejections of these claims should be withdrawn for the reasons discussed above and for the additional features of these dependent claims.

B. Response to the Section 102 Rejection of Claims 12-16

Claims 12-16 were rejected under 35 U.S.C. Section 102(b) as being anticipated by Leman. During the February 5 telephone conference, the Examiner agreed that the rejection should have been based on 35 U.S.C. Section 102(e) instead of 35 U.S.C. Section 102(b). Without commenting on or conceding the merits of such a rejection, claims 12-16 have been cancelled without prejudice to pursuing these claims in a continuation or other application.

C. Response to the Section 103 Rejection of Claim 3

Claim 3 depends from claim 1. As discussed above, the Examiner agreed that claim 1 in its current form patentably distinguishes over the applied references and, in particular, Sands. Bhargava fails to cure the deficiencies of Sands. For example, Bhargava fails to disclose a single type of bracket configured to support different types of circuit boards having different arrangements of fastening sites. Accordingly, the Section 103 rejection of claim 3 should be withdrawn for the reasons discussed above and for the additional feature of this claim.

D. Response to the Section 103 Rejections of Claims 7-9 and 20-33

Claims 7-9 depend from claim 1. As discussed above, claim 1 as amended was indicated by the Examiner to be patentable over the applied references. Accordingly, the Section 103 rejection of claims 7-9 should be withdrawn for the reasons discussed above with reference to claim 1 and for the additional features of these dependent claims.

Claims 20-29 have been cancelled without commenting on or conceding the merits of the Examiner's rejection of these claims, and without prejudice to pursuing these claims in a continuation or other application. Accordingly, the Section 103 rejection of these claims is now moot.

During the February 5 telephone conference, the Examiner indicated that claim 30 patentably distinguishes over the applied reference. Accordingly, the Section 103 rejection of claim 30 should be withdrawn. Claim 31-33 depend from claim 30. Accordingly, the Section 103 rejection of claims 31-33 should be withdrawn for the reasons discussed above and for the additional features of these dependent claims.

E. The Applied References Fail to Support A Section 102 or Section 103 Rejection of New Claims 34-36

New claim 34 is directed to a bracket having features generally similar to those of claim 1, but does not positively recite the circuit board to which the bracket is

attached. Instead, claim 34 includes at least one circuit board fastener having a bracket coupling portion "removably" coupled to one of the bracket fastening sites of the bracket body. Sands cannot support a Section 102 rejection of claim 34 because (*inter alia*), assuming Sands' circuit board mounts 112 correspond at least in part to the at least one circuit board fastener of claim 34, and Sands' inner chassis portion 120 corresponds at least in part to the bracket body of claim 34, (a) the circuit board mounts 112 depend from the chassis outer portion 110 and not the chassis inner portion 120, and (b) the circuit board mounts 112 are fixedly attached.

Furthermore, Sands provides no motivation for making the circuit board mounts 112 removable from the chassis outer portion 110. In fact, Sands' circuit board mounts 112 appear to be formed by stamping out and bending pieces of the outer chassis portion 110, which is preferably formed from cold-rolled steel (Sands at column 5, lines 11-13). Accordingly, Sands' circuit board mounts 112 are integrally formed with the outer chassis portion 110, which is consistent with Sands' statement that the circuit board mounts 112 (and a plurality of spring members 122) "provide a grounding path" from a circuit board to the chassis for electrical currents associated with the circuit board (Sands at column 5, lines 35-40). Therefore, Sands' disclosure fails to provide the requisite motivation for modifying his device to include at least one feature of claim 34.

Claim 35 is directed to a circuit board assembly that includes a computer circuit board having a first number of circuit board attachment sites and a bracket body having a second number of fastening sites, at least some of which are aligned with the circuit board attachment sites. The second number is larger than the first number. A plurality of circuit board fasteners are coupled between the bracket body and the circuit board, and at least one chassis fastener is coupled to the bracket body and positioned to couple to a corresponding fastening site of a computer chassis.

Because the bracket body has more fastening sites than the circuit board has attachment sites, a single type of bracket body can be used to support different types of

computer circuit board relative to a computer chassis. The applied references fail to disclose or suggest such a feature.

Claim 36 is directed to a method for mounting a computer circuit board to a computer chassis, and includes determining whether a circuit board has a first arrangement of fastening sites or a second arrangement of fastening sites different than the first arrangement. If the circuit board has the first arrangement of fastening sites, the method includes coupling a plurality of circuit board fasteners to a bracket to define a first fastener arrangement, with the plurality of circuit board fasteners aligned with the first arrangement of fastening sites of the circuit board. If the circuit board has the second arrangement of fastening sites, the method includes coupling a plurality of circuit board fasteners to the bracket to define a second fastener arrangement, with the plurality of circuit board fasteners aligned with the second arrangement of fastening sites of the circuit board. The method still further includes connecting the circuit board fasteners to the fastening sites of the circuit board, and connecting the bracket to a computer chassis. Accordingly, a single type of bracket can be used to mount at least two different types of circuit boards to a chassis. The applied references fail to disclose or suggest such a method.

F. Notice of References Cited

Applicants' attorney notes that the Notice of References Cited (form PTO 892), included with November 6 Office Action, fails to identify Sands, Leman, and Bhargava. Applicants' attorney respectfully requests that on a subsequent action from the Patent Office, these references be cited and/or otherwise clearly identified so as to appear on the face of any patent issuing from the present application. Also, while the Office Action indicates a completed IDS as an enclosure, the IDS appears not to have been included with the Office Action. Accordingly, applicants' attorney respectfully requests an initialed copy of the IDS sent to the Patent Office on April 24, 2000.

G. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call John Wechkin at (206) 359-3257.

Respectfully submitted,
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